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8 *Attorneys for Debtors and Reorganized Debtors*

9
10 **UNITED STATES BANKRUPTCY COURT**

11 **NORTHERN DISTRICT OF CALIFORNIA**

12 **SAN FRANCISCO DIVISION**

13 **In re:**

14 **PG&E CORPORATION,**

15 **- and -**

16 **PACIFIC GAS AND ELECTRIC
COMPANY,**

17 **Debtors.**

- 18
19
20 Affects PG&E Corporation
 Affects Pacific Gas and Electric Company
 Affects both Debtors

21 Bankruptcy Case No. 19-30088 (DM)

22 Chapter 11

23 (Lead Case) (Jointly Administered)

24 **DECLARATION OF SCOTT ROSE IN
SUPPORT OF REORGANIZED DEBTORS'
OBJECTION TO CLAIM NO. 2441 FILED
BY DON WORRELL**

25 **Response Deadline: January 11, 2023,
4:00 p.m. (Pacific Time)**

26 **Hearing Information If Timely Response
Made:**

27 Date: January 25, 2023

28 Time: 10:00 a.m. (Pacific Time)

Place: (Tele/Videoconference Appearances Only)
United States Bankruptcy Court
Courtroom 17, 16th Floor
San Francisco, CA 94102

1

DECLARATION OF SCOTT ROSE

2 I, Scott Rose, hereby declare and state:

3 1. I am a Senior Director, Electric Distribution Operations Central Valley Region for
4 Pacific Gas and Electric Company (“**PG&E**”). I make this declaration based on my personal
5 knowledge and, if called to testify, I could and would testify to the matters stated herein.

6 2. From around 2017 to 2019, I was the Director, Electric Field Operations, South Coast
7 & South Valley Area.

8 3. During the relevant time period, including July 1, 2018 through the end of 2018, I was
9 the skip-level supervisor of Don Worrell. Mr. Worrell was a Distribution Supervisor – Electric in the
10 Los Padres area, responsible for overseeing crews of employees who performed electric maintenance
11 and construction activities. Until sometime around mid-October 2018, Mr. Worrell was directly
12 supervised by my subordinate, Dan Rizzo. Mr. Rizzo resigned his employment and left for a position
13 with another employer in October 2018. From October 18, 2018 until his termination, I supervised
14 Mr. Worrell.

15 4. In connection with his duties, Mr. Worrell interacted daily with several female
16 subordinates holding clerical positions. On July 23, 2018, I learned that one of these subordinates, an
17 Operating Clerk who I will call Jane Doe for the purposes of this declaration, made a complaint about
18 Mr. Worrell to Jay West, another supervisor who also reported to me. Mr. Rizzo forwarded to me,
19 Diana Holbak (PG&E’s workplace investigator), and Heather Free (our team’s then-Human Resources
20 Business Partner) an email from Mr. West that summarized Ms. Doe’s complaint. Mr. Rizzo’s email
21 to me indicated he would work with Ms. Holbak on next steps. A true and correct copy of Mr. Rizzo’s
22 email with the email forwarded from Mr. West is attached hereto as **Exhibit A**. Ms. Doe was identified
23 as “HH EE” meaning, “hiring hall employee” or “EE” meaning, “employee” in Exhibit A.

24 5. Ms. Holbak proceeded to investigate Ms. Doe’s complaint. Ms. Holbak conducted the
25 investigation, not Mr. Rizzo. Ms. Holbak provided updates to me and to HR regarding her progress.

26 6. On or about October 18, 2018, I met with Ms. Holbak and Ms. Free to discuss the
27 findings and decide how to proceed. Mr. Rizzo was not present at this meeting, as he was already

1 departing or had already departed the Company. Ms. Holbak's findings substantiated Ms. Doe's
2 claims.

3 7. Given Ms. Holbak's findings, Ms. Free and I agreed that Mr. Worrell's employment
4 should be terminated, as Mr. Worrell was found to have committed serious violations of PG&E's
5 policies, and it was important to protect Ms. Doe and other female subordinates and coworkers from
6 any further inappropriate behavior by Mr. Worrell. We sought approval for the termination from
7 Human Resources and from managers in my supervisory chain.

8 8. In the meantime, on October 22, 2018, I met with Mr. Worrell to notify him that he
9 was being placed on a paid leave of absence and that the investigation substantiated the allegations of
10 inappropriate behavior and comments made against him. I provided Mr. Worrell with a letter
11 summarizing the investigation's findings. A true and correct copy of the letter I provided is attached
12 hereto as **Exhibit B**. Mr. Worrell was polite and cooperative during the meeting.

13 9. Once the necessary approvals were obtained, I again met with Mr. Worrell to terminate
14 his employment on December 14, 2018. Mr. Worrell was again cordial and polite. I believed he was
15 not surprised about his separation. I provided Mr. Worrell with a termination letter, a true and correct
16 copy of which is attached hereto as **Exhibit C**.

17 10. Upon his departure on that day, December 14, 2018, Mr. Worrell told me, "PG&E is
18 making a mistake, and I will be seeking legal action." He added, "That's not a threat, just letting you
19 know. I would be a fool not to, as I was going to retire in 4 years."

20 11. In my experience supervising Mr. Rizzo, Mr. Rizzo behaved very professionally. I do
21 not believe Mr. Rizzo would have made age-related comments, and I do not recall hearing any. I did
22 not hear or otherwise learn that Mr. Rizzo had used the terms "old man," "dinosaur," or "cave man"
23 to refer to employees. As far as I am aware, Mr. Worrell never made a complaint about Mr. Rizzo,
24 nor did Mr. Worrell ever tell me that Mr. Rizzo used the words "dinosaur," "cave man," or "old man"
25 to refer to Mr. Worrell.

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 1st day of December, 2022, at Bakersfield, California.

/s/ Scott Rose
Scott Rose